

NOT DESIGNATED FOR PUBLICATION  
ARKANSAS COURT OF APPEALS  
JOHN MAUZY PITTMAN, CHIEF JUDGE

DIVISION I

CA06-1134

September 12, 2007

LETESHA DEAN MORGAN

APPELLANT

APPEAL FROM THE ARKANSAS  
WORKERS' COMPENSATION  
COMMISSION [NOS. F204900,  
F306449]

V.

DELUXE VIDEO SERVICES, INC., ET  
AL.

APPELLEES

REVERSED AND REMANDED

The appellant in this workers' compensation case was employed by appellee Deluxe Video Services, Inc. While in that company's employ, appellant sustained a compensable wrist injury. After undergoing surgery for a ganglion cyst of the wrist, appellant was still unable to return to her duties at Deluxe Video and was terminated. She then obtained employment as a dental assistant and filed a second claim for benefits, alleging that she sustained carpal tunnel syndrome from rapid-repetitive movement required by her employment at Deluxe Video. The Commission denied the claim on the strength of its finding that the record contained no medical evidence, supported by objective findings, that appellant suffered from carpal tunnel syndrome. The Commission erred in so finding, and we reverse and remand.

In reviewing decisions of the Arkansas Workers' Compensation Commission, we view

the evidence and all reasonable inferences deducible therefrom in the light most favorable to the Commission's findings and affirm if the decision is supported by substantial evidence. *Wal-Mart Stores, Inc. v. Sands*, 80 Ark. App. 51, 91 S.W.3d 93 (2002). Substantial evidence is evidence that a reasonable person might accept as adequate to support a conclusion. *Olsten Kimberly Quality Care v. Pettey*, 328 Ark. 381, 944 S.W.2d 524 (1997). We will not reverse the Commission's decision unless we are convinced that fair-minded persons with the same facts before them could not have reached the conclusions arrived at by the Commission. *White v. Georgia-Pacific Corp.*, 339 Ark. 474, 6 S.W.3d 98 (1999). Where, as here, the Commission has denied a claim because of the claimant's failure to meet her burden of proof, the substantial evidence standard of review requires that we affirm if the Commission's opinion displays a substantial basis for the denial of relief. *Williams v. Arkansas Oak Flooring Co.*, 267 Ark. 810, 590 S.W.2d 328 (Ark. App. 1979).

Appellant was required to present medical evidence supported by objective findings to establish the existence and extent of her carpal tunnel syndrome. She was not required to offer such evidence to establish the causal connection between the employment and the injury, the circumstances under which the injury was sustained, or the precise time of the injury's occurrence. *Wal-Mart Stores, Inc. v. VanWagner*, 63 Ark. App. 235, 977 S.W.2d 487 (1998); *Aeroquip, Inc. v. Tilley*, 59 Ark. App. 163, 954 S.W.2d 305 (1997).

Contrary to the Commission's finding, the record does in fact contain medical evidence supported by objective findings that appellant suffered from carpal tunnel syndrome. In a letter dated June 17, 2004, Dr. David M. Rhodes stated that appellant "had her nerve

conduction study that showed moderate carpal tunnel syndrome on the left and mild carpal tunnel syndrome on the right.” The Commission was not required to believe this evidence, but it was required to consider it. Given that the Commission’s opinion not only fails to discuss this evidence, but states incorrectly that there was no evidence of positive nerve conduction studies in this case, its opinion states no substantial basis for denial of relief.

Reversed and remanded for further consistent proceedings.

HART and MILLER, JJ., agree.